

REMARKS

Applicant is in receipt of the Office Action mailed December 4, 2002.

Information Disclosure Statement

The Office Action noted that one of Applicant's Information Disclosure Statements failed to comply with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609 because the publication date of one of the cited references "Vision for Process Feedback and Control" was after the application's filing date. Applicant notes that all of the other references cited in this IDS have been considered by the Examiner. Applicant is not aware of an earlier publication date for this reference and thus agrees with the Examiner that this reference is not prior art to the present application.

Specification

The Office Action objected to the abstract for being greater than 150 words. Applicant has amended the Abstract to correct this error.

The disclosure was objected to because the application number referred to on page 14 line 8 was missing. Applicant has amended this portion of the specification to provide this application number.

Claim Objections

Claim 4 was objected to because there were 2 instances of the term "robotics". Applicant has amended claim 4 to correct this error. Applicant has also made similar amendments to correct this error in claims 33, 56 and 72.

§ 102 Rejections

Claims 1-13, 21-42, 45-64, and 67-80 were rejected under §102(b) as being anticipated by U.S. Patent No. 5,481,712 to Silver et al. This rejection is respectfully traversed. The Silver Patent relates to interactively generating a text-based computer program, i.e., a computer program in a textual language such as Fortran or C. In contrast,

present claim 1 recites a method which involves recording one or more functions in response to user input, wherein the one or more functions specify the algorithm, and then automatically generating a graphical program in response to the one or more functions. Applicant submits that a "graphical program" is different than a program written in textual language such as C or Pascal. Rather, a graphical program comprises graphical code, i.e., a plurality of interconnected nodes or icons which visually indicate functionality of the graphical program. Applicant has amended claims 1, 31, 53 and 71 to further clarify the nature of the graphical program generated in the claim.

With respect to automatic generation of a graphical program, the Office Action refers to col. 2, lines 19-20 and col. 4, lines 62-67. The Silver patent at col. 2, lines 19-20 merely refers to modifying a stored program that is created in a textual programming language. The Silver patent at col. 4, lines 62-67 merely refers to the user positioning a graphical icon, such as a cross hair or marquee box, over a graphical image to select an input parameter. This does not in any way involve "automatic generation of a graphical program" as recited in the present claims.

Applicant submits that the Silver reference does not teach or suggest the steps of claim 1. Applicant submits that independent claims 31, 53 and 71 are allowable for at least the reasons given above. Thus, Applicant submits that independent claims 1, 31, 53 and 71, and those dependent thereon, are allowable in view of the above remarks.

Canceled Claims

Applicant has cancelled dependent claims 8, 38, 60 and 75 from the application. These claims had recited "wherein said automatically generating the graphical program comprises programmatically generating the graphical program in response to the recorded one or more functions." However, Applicant believes that the operation of "automatically" generating a graphical program is the same as "programmatically" generating a graphical program, i.e., that the graphical program is generated by software execution (e.g., in response to recorded functions input by the user), as opposed to the graphical program being manually created or assembled by the user. Thus, Applicant believes that these claims did not add any further limitation to their respective base claims. Thus Applicant has deleted these claims.

New Claims

Applicant includes new claims 81-89. New claims 81-89 are memory medium claims which correspond to claims 71-74 and 76-80 respectively.

CONCLUSION

Applicant submits the application is in condition for allowance, and an early notice to that effect is requested.

If any extensions of time (under 37 C.F.R. § 1.136) are necessary to prevent the above referenced application(s) from becoming abandoned, Applicant(s) hereby petition for such extensions. If any fees are due, the Commissioner is authorized to charge said fees to Conley, Rose, & Tayon, P.C. Deposit Account No. 50-1505/5150-44300/JCH.

Respectfully submitted,



Jeffrey C. Hood
Reg. No. 35,198
ATTORNEY FOR APPLICANT(S)

Meyertons, Hood, Kivlin, Kowert & Goetzel PC
P.O. Box 398
Austin, TX 78767-0398
Phone: (512) 853-8800
Date: 3/3/2003